



W.P.(MD)No.28581 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 28.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.28581 of 2024

and

W.M.P.(MD)No.24235 of 2024

J.Poornima

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Thanjavur District.

2.The Revenue Divisional Officer,
Thanjavur District.

3.The Revenue Divisional Officer,
Thanjavur Circle,
Thanjavur District.

4.The Tahsildar,
Thanjavur Circle,
Thanjavur District.

5.Lakshmipriya

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to recall the legal heir certificate issued by 4th respondent in Pa.Mu.No. 10456/2016/A1, dated 06.08.2016, in favour of the 5th respondent by considering the petitioner's representation dated 20.11.2024.

For Petitioner : Mr.K.B.Badurus Zaman

For Respondents 1 to 4 : Mr.S.Kameswaran

Government Advocate



W.P.(MD)No.28581 of 2024

ORDER

WEB COPY

This Writ Petition came to be filed, directing the respondents 3 and 4 to recall the legal heirs certificate issued by the fourth respondent in proceedings bearing No.Pa.Mu.No.10456/2016/A1, dated 06.08.2016, in favour of the fifth respondent, considering the petitioner's representation dated 20.11.2024.

2.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondents 1 to 4 and carefully perused the entire materials available on record.

3.The petitioner's mother namely Sanmugapriya and the fifth respondent are the children of one Ramamoorthy and Sarasa @ Sarasal. The petitioner's grandmother died on 16.07.1988. The petitioner's mother Sanmugapriya predeceased her father Ramamoorthy on 22.04.2013 and the petitioner's grandfather died on 26.07.2015. After his death, taking advantage of the situation, the fifth respondent making a false statement, had obtained a legal heir certificate, as if she alone is the legal heir of the deceased Ramamoorthy. The Government order in G.O.Ms.No.11, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2024, has mandated in Clause II(v) that, any certificate if found to have been obtained by



W.P.(MD)No.28581 of 2024

suppression of material facts, the same is liable to be recalled by the issuing authority.

4.In view of the same, considering the fact that the fifth respondent has suppressed the material fact of existence of yet another daughter, the fourth respondent is hereby directed to recall the legal heir certificate issued to the fifth respondent and initiate enquiry in this regard and issue appropriate legal heir certificate, after giving opportunity of hearing to both the fifth respondent and the petitioner herein within a period of four weeks from the date of receipt of copy of this order.

5.Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



WEB COPY



W.P.(MD)No.28581 of 2024

To

- 1.The District Collector,
Collectorate,
Thanjavur District.
- 2.The Revenue Divisional Officer,
Thanjavur District.
- 3.The Revenue Divisional Officer,
Thanjavur Circle,
Thanjavur District.
- 4.The Tahsildar,
Thanjavur Circle,
Thanjavur District.



WEB COPY



W.P.(MD)No.28581 of 2024

L.VICTORIA GOWRI, J.

Mrn

W.P.(MD)No.28581 of 2024

28.11.2024